REMARKS/ARGUMENTS

Claims 1-2, 20-21, and 33-34 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claim 1 has been amended by incorporation of the expression "and displaying said overlaid image on said display screen" as suggested by the Examiner. Claim 20 has been similarly amended.

Claims 1-3, 14-15, 20-22, and 33-34 stand rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,638,523 to Mullet et al. ("Mullet"). In addition, Claims 4-13, 16, 23-32, and 35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mullet in view of "The Digital Magazine of InfoVis.net: Focus + Content" by Juan C. Dursteler ("Dursteler"). Furthermore, Claims 17-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mullet in view of United States Patent No. 6,985,865 to Packingham et al. ("Packingham").

The Applicant respectfully submits that Dursteler may not be cited under 35 U.S.C. 103(a) as it includes subject matter that along with the present application was, at the time that the invention of the present application was made, owned by Idelix Software Inc.

Claims 1-11, 13, 15-16, 20-30, 32, and 34-35 have been amended with a view to better defining the invention. No new matter has been entered by these amendments. Consequently, the Examiner is respectfully requested to consider the amended and original claims in view of the following comments.

For reference, amended Claim 1 recites the following:

> 1. (Currently Amended) A method for editing a multi-layer original image displayed on a display screen, comprising:
>
> in response to receiving an indication to edit a region of said original image, distorting a portion of a first layer of said original image to produce a distorted image for said region, said distorted image including a magnified region having a magnification for said region at least partially surrounded by an at least partially compressed region where said magnification decreases to that of said original image to provide context for said magnified region with respect to said original image;

> overlaying said distorted image on a second layer of said original image to produce an overlaid image and displaying said overlaid image on said display screen to replace display of said original image; and,
> upon completion of editing of said overlaid image, selectively propagating edits made to said first layer through to said second layer of said original image.

With respect to previous Claim 1, on page 2 of the Office Action the Examiner cites Mullet against Claim 1 stating:

> "Regarding independent claim 1, Mullet discloses a user moving the cursor **21** using the cursor control device **25** and the information within the viewing area **15** is not affected until after a predetermined amount of time (column 4, lines 39-50), which reads on the claimed in response to receiving an indication to edit a region of said original image. Mullet discloses information within the viewing area **15** is enhanced depending upon which mode the browsing tool **10** is in (column 4, lines 46-50), which reads on the claimed distorting the predetermined portion of a first layer of said original image to produce a distorted image for said region. Mullet discloses the viewing lens **15** being overlaid on the original image **10** (Figures 2A-2D), which reads on the claimed overlaying said distorted image on a second layer of said original image to produce an overlaid image for presentation on said system display. Mullet discloses a user moving the cursor **21** using the cursor control device **25** and the information within the viewing area **15** is not affected until after a predetermined amount of time (column 4, lines 39-50), which reads on the claimed upon completion of editing of said overlaid image, selectively propagating edits made to the said first layer through to remaining layers of said original image."

For reference, col. 4, lines 39-50 (plus context) of Mullet, cited by the Examiner above, recite the following:

> "FIG. 2a illustrates the browsing tool **10** of the present invention. The browsing tool **10** has a viewing lens **15** which is used for viewing information presented on the display screen. The viewing lens **15** is adjustable such that an operator can create a larger

browsing tool **10**. Within the viewing lens **15** is a crosshair **11**. Crosshair **11** is used for 'targeting' objects within the viewing lens **15**. Also within the viewing lens **15** is a 'magnifying' reticle **13**. The magnifying reticle **13** is used to mark an area within viewing lens **15** which will be enhanced by the browsing tool **10** when the browsing tool **10** is in the magnification mode... The browsing tool **10** is rendered on the graphic display screen **27** such that it appears over the database information to be browsed through. An operator selectively positions the browsing tool **10** on the display screen **27** by moving the cursor **21** using the cursor control device **25**. While the operator moves the browsing tool **10** across the display screen **27**, the information within the viewing area **15** is not affected. When the operator ceases moving the browsing tool **10** and the browsing tool **10** remains stationary for a predetermined amount of time, the information within the viewing area **15** is enhanced depending upon which mode the browsing tool **10** is in...The browsing tool **10** can be used to browse through computer database information using three different modes: a 'magnification' mode, a hierarchical browsing mode, and a data filtering mode. When in the magnification mode, the browsing tool **10** enhances the information within the magnifying reticle **13** such that the information is presented in greater detail. When browsing tool **10** is in the hierarchical browsing mode, the browsing tool **10** reveals the next lower hierarchical level of information within the viewing area **15**. When in the data filtering mode the browsing tool **10** illustrates the information within the viewing area **15** as interpreted by a preset data filtering rule. Each browsing mode will be explained in detail...Magnification Mode...The magnification mode of the browsing tool **10** is used to provide a more detailed view of the information displayed graphically on the display screen. When the browsing tool **10** is in the magnification mode, the browsing tool **10** enhances the information located within the magnifying reticle **13** such that the information fills the viewing area **15** of the browsing tool **10**. The enhanced information is not simply enlarged, more detailed information not previously displayed becomes visible...Referring to FIG. 2a, the browsing tool **10** is illustrated with a magnification adjustment slider **17** and a toggle switch **19**. The magnification adjustment slider **17** is set by an operator using the cursor **21** on the display. The magnification adjustment slider **17** is adjusted to set the scale of the magnification. When the magnification adjustment slider **17** is adjusted by an operator, the magnifying reticle

> **13** continuously changes in size to reflect the area which will be enhanced. The smaller the magnifying reticle **13**, the greater the enhancement will be. In some applications the database information can only be presented on the screen in a finite number of discrete 'resolutions'. In such applications the magnifying reticle **13** correspondingly changes size in discrete steps." (Col. 4, line 19 to col. 5, line 21.)

First, consider the Examiner's following statement: "Mullet discloses a user moving the cursor **21** using the cursor control device **25** and the information within the viewing are **15** is not affected until after a predetermined amount of time (column 4, lines 39-50), which reads on the claimed in response to receiving an indication to edit a region of said original image." Mullet does not pertain to editing and in particular it does not pertain to editing a multi-layer original image. As such, Mullet is non-analogous art. A search for the word "edit" within the text of the on-line version of Mullet found no hits. That is, Mullet does not even mention the word "edit" (or editing, etc.). What Mullet pertains to is information browsing.

As such, Mullet does not teach or suggest that element of amended Claim 1 that recites "...in response to receiving an indication to edit a region of said original image...".

Second, consider the Examiner's following statement: "Mullet discloses information within the viewing area **15** is enhanced depending upon which mode the browsing tool **10** is in (column 4, lines 46-50), which reads on the claimed distorting the predetermined portion of a first layer of said original image to produce a distorted image for said region." The above selection from Mullet along with FIGS. 2A-2D of Mullet indicate that the browsing tool **10** described in Mullet applies a constant magnification across the viewing lens **15**.

On the other hand, amended Claim 1 recites "distorting a portion of a first layer of said original image to produce a distorted image for said region". The "distorting" in amended Claim 1 typically provides varying magnification through application of a distortion function (see amended Claim 2) or lens that typically has a focal region portion with a uniform magnification surrounded by a shoulder region portion where the magnification varies (e.g., decreases or diminishes) (see amended

Claim 4). Mullet does not teach or suggest such distorting of an original image to produce a distorted image.

As such, Mullet does not teach or suggest that element of amended Claim 1 that recites "...distorting a portion of a first layer of said original image to produce a distorted image for said region, said distorted image including a magnified region having a magnification for said region at least partially surrounded by an at least partially compressed region where said magnification decreases to that of said original image to provide context for said magnified region with respect to said original image ...".

Third, consider the Examiner's following statement: "Mullet discloses the viewing lens **15** being overlaid on the original image **10** (Figures 2A-2D), which reads on the claimed overlaying said distorted image on a second layer of said original image to produce an overlaid image for presentation on said system display." As mentioned above, Mullet does not teach or suggest distorting of an original image to produce a distorted image.

As such, Mullet does not teach or suggest that element of amended Claim 1 that recites: "...overlaying said distorted image on a second layer of said original image to produce an overlaid image and displaying said overlaid image on said display screen to replace display of said original image...".

Fourth, consider the Examiner's following statement: "Mullet discloses a user moving the cursor **21** using the cursor control device **25** and the information within the viewing area **15** is not affected until after a predetermined amount of time (column 4, lines 39-50), which reads on the claimed upon completion of editing of said overlaid image, selectively propagating edits made to the said first layer through to remaining layers of said original image." As mentioned above, Mullet does not teach or suggest editing of a multi-layer original image in any way. What Mullet actually teaches with respect to delayed magnification is recited in the above selection and is repeated below for emphasis:

> "The browsing tool **10** is rendered on the graphic display screen **27** such that it appears over the database information to be browsed through. An operator selectively positions the browsing tool **10** on the display screen **27** by moving the cursor **21** using the cursor control device **25**. While the operator moves the browsing tool **10** across the display screen **27**, the information within the viewing area **15** is not affected. When the operator ceases moving the browsing tool **10** and the browsing tool **10** remains stationary for a predetermined amount of time, the information within the viewing area **15** is enhanced depending upon which mode the browsing tool **10** is in." (Col. 4, lines 39-50.)

Thus, the "information within the viewing area **15**" is simply enhanced (i.e., magnified) when the browsing tool **10** is stationary. Nowhere in this selection is it taught or suggested that the information within the viewing area is edited or modified in any way. Rather, the information is simply magnified when the browsing tool **10** is stationary.

Most importantly, nowhere in the above selection from Mullet (or anywhere else in Mullet for that matter) is it taught or suggested that an edit made to a distorted layer is propagated through to other layers of the original image. The "information within the viewing area **15**" in Mullet is simply not edited or modified. Again, it is simply magnified.

As such, Mullet does not teach or suggest that element of amended Claim 1 that recites: "...upon completion of editing of said overlaid image, selectively propagating edits made to said first layer through to said second layer of said original image...".

In summary, for the reasons given above, the Applicant believes that amended Claim 1 is patentable over Mullet as this reference does not teach or suggest the subject matter of this claim. In addition, the Applicant believes that Claims 2-19, being dependent on amended Claim 1, and adding patentable features thereto, are also patentable.

For the reasons given above with respect to amended Claim 1, the Applicant believes that amended Claim 20 is patentable. In addition, the Applicant believes that Claims 21-35, being dependent on amended Claim 20, and adding patentable features thereto, are also patentable.

No new subject matter has been introduced by the above amendments.

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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